

Nickel, Brian

From: Hallinan, Patrick J. (ECY) <PHAL461@ECY.WA.GOV>
Sent: Monday, May 13, 2019 11:33 AM
To: Nickel, Brian; ABOR461@ECY.WA.GOV
Cc: McGowan, Vincent (ECY)
Subject: RE: Public notice of draft NPDES permit for Clearwater Paper

Brian,

I have reviewed the permit documents, and have a few comments.

- From Figure A-1 of Appendix A, it appears Clearwater Paper withdraws its source water from the Clearwater River. The fact sheet further describes maximum daily discharge rates used in dilution zone modeling of 38.6 mgd, consisting of 31.8 mgd of process wastewater and up to 7 mgd of flow augmentation water. I am assuming this flow augmentation water is used to reduce the temperature of the discharge (page 9 of the Fact Sheet). The Fact Sheet should describe how requirements for cooling water intake structures for existing facilities (40 CFR Part 125.91) apply to the water withdrawal.
- The Fact Sheet discusses the discharge of wastewater from the Idaho Forest Group sawmill to Clearwater Paper's treatment system, and cites 40 CFR Part 122.3(g) in determining the sawmill does not require a separate NPDES permit. However, requirements of 40 CFR Part 122.44(m) also apply. I recommend the Fact Sheet describes the reason for not requiring a separate NPDES permit, per 40 CFR 122.44(m), "...The Director's decision to issue a permit with no conditions applicable to any user, to impose conditions on one or more users, to issue separate permits, or to require separate applications, and the basis for that decision, shall be stated in the fact sheet for the draft permit for the treatment works". In this case, I think a reasonable justification could be based on an 'insignificant contributor of compatible pollutants', or the like.
- In the 'Reasonable Potential and Water Quality Based Effluent Limits' section, the Fact Sheet states that because the effluent has only been sampled once for arsenic, the effluent concentration of arsenic is uncertain. However, the statistical procedures in EPA's Technical Support Document for Water Quality Based Toxics Control are intended to address this uncertainty by estimating the maximum effluent concentration at the upper bound of the expected lognormal distribution of effluent concentrations with a high confidence level.

Regardless, there are regulatory uncertainties with the inorganic arsenic human health promulgated by EPA in 40 CFR Part 131.46 for the State of Washington. Both surface waters and groundwaters throughout Eastern Washington routinely exceed this human health criteria. Additionally, the human health criteria is expressed as inorganic arsenic. Federal Rules in 40 CFR Part 136 do not contain an approved test method for inorganic arsenic for compliance monitoring purposes. Furthermore, I am not aware of an approved translator for determining inorganic-to-total recoverable arsenic ratios. These issues increase the difficulty in both determining reasonable potential and establishing an effluent limitation based on the human health criteria for inorganic arsenic for the State of Washington.

If you have any questions on these comments, please let me know.

Pat

Pat Hallinan
Washington State Department of Ecology
Water Quality Section

Nickel, Brian

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Spokane, WA 99205
(509) 329-3500

From: Nickel, Brian <Nickel.Brian@epa.gov>
Sent: Wednesday, April 24, 2019 10:07 AM
To: Borgias, Adriane P. (ECY) <ABOR461@ECY.WA.GOV>
Cc: Hallinan, Patrick J. (ECY) <PHAL461@ECY.WA.GOV>; McGowan, Vincent (ECY) <vmcg461@ECY.WA.GOV>
Subject: RE: Public notice of draft NPDES permit for Clearwater Paper

Adriane, all:

We have extended the public comment period for the Clearwater Paper draft permit. The comment period now runs through May 28th.

<https://www.epa.gov/npdes-permits/draft-npdes-permit-clearwater-paper-corporation-idaho>

Please let me know if you have any questions or concerns.

Thanks,

Brian Nickel, E.I.T.

Environmental Engineer
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<https://www.epa.gov/npdes-permits/about-region-10s-npdes-permit-program>
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From: Borgias, Adriane P. (ECY) <ABOR461@ECY.WA.GOV>
Sent: Tuesday, April 16, 2019 12:12 PM
To: Nickel, Brian <Nickel.Brian@epa.gov>
Cc: Hallinan, Patrick J. (ECY) <PHAL461@ECY.WA.GOV>; McGowan, Vincent (ECY) <vmcg461@ECY.WA.GOV>
Subject: RE: Public notice of draft NPDES permit for Clearwater Paper

Thank you.

I have forwarded it onto Pat Hallinan who has agreed to review it.

Adriane P. Borgias

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From: Nickel, Brian <Nickel.Brian@epa.gov>
Sent: Thursday, March 28, 2019 4:19 PM
To: Borgias, Adriane P. (ECY) <ABOR461@ECY.WA.GOV>
Subject: Public notice of draft NPDES permit for Clearwater Paper

Adriane:

You should be receiving a letter notifying you of this as well, but I wanted to let you know that a 30-day public comment period for the Clearwater Paper Lewiston Mill NPDES permit will begin tomorrow, and that the draft permit, fact sheet, and biological evaluation are posted on our website, here:

<https://www.epa.gov/npdes-permits/proposed-wastewater-permit-clearwater-paper-corporation>

Thank you,

Brian Nickel, E.I.T.

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